



IFW
PATENT

Receipt

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Stanley F. Barnett, et al.

Serial No.: 10/510,068 Case No.: 21075YP

Filed: October 04, 2004

For: METHOD OF TREATING CANCER

Art Unit:

1614

Examiner:

To be determined

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

REQUEST FOR CORRECTED FILING RECEIPT

Sir:

Attached is a copy of the official filing receipt received from the Patent and Trademark Office in the above application for which issuance of a corrected filing receipt is respectfully requested.

There is an error with respect to the number of inventors listed for the above-referenced application. One inventor is not listed on the filing receipt. Her information is as follows:

Deborah D. Nahas – Perkasio, PA

A copy of the first page of the Transmittal Letter, the Declaration and the postcard are attached, which accompanied the filing of this application. This correction has been noted on the copy of the attached filing receipt.

This correction is not due to any error by the Applicants, and no fee is due.

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE APPEARING BELOW.

MERCK & CO., INC.

BY: Stephanie Richards DATE: 4-11-06

Date: April 11, 2006

Respectfully submitted,

By:

Matthew A. Leff

Reg. No. 50,149

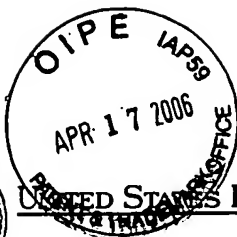
Attorney for Applicant(s)

MERCK & CO., INC.

P.O. Box 2000

Rahway, New Jersey 07065-0907

(732) 594-1404



PAT. REG. COORD.
DOCKET
ATTORNEY
MAINTENANCE
CASE REFERENCE CLERK
UNITED STATES PATENT AND TRADEMARK OFFICE
CITIZEN

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/510,068	10/04/2004	1614	1096	21075YP		46	9

210
MERCK AND CO., INC
P O BOX 2000
RAHWAY, NJ 07065-0907

DOCKETED

MAR 27 2006

CHRISTINE A. CUFFE

CONFIRMATION NO. 5599

FILING RECEIPT



OC000000018345881

Date Mailed: 03/23/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Stanley F Barnett, North Wales, PA;
Deborah DeFeo-Jones, Lansdale, PA;
George D Hartman, Lansdale, PA;
Kathleen M Haskell, Colmar, PA;
Hans E Huber, Lansdale, PA;
Craig W Lindsley, Schwenksville, PA;
Zhijian Zhao, Wilmington, DE;
Deborah D. Nahas, Perkasi, PA

Power of Attorney: The patent practitioners associated with Customer Number 210.

Domestic Priority data as claimed by applicant

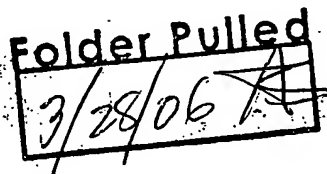
This application is a 371 of PCT/US03/10632 04/04/2003
which claims benefit of 60/370,827 04/08/2002
and claims benefit of 60/417,202 10/09/2002

Foreign Applications

Projected Publication Date: 06/29/2006

Non-Publication Request: No

Early Publication Request: No



THE PATENT & TRADEMARK OFFICE ACKNOWLEDGES, AND HAS
STAMPED HEREON, THE DATE OF THE RECEIPT AND THE ASSIGNED
SERIAL NUMBER OF THE FOLLOWING PATENT APPLICATION:

CASE NUMBER	DATE	ATTORNEY	EXPRESS MAIL <input checked="" type="checkbox"/>
21075YP	10/04/04	Matthew A. Leff	EV 321987313 US
TITLE		DT03 Rec'd PCT/PTO 04 OCT 2004	
METHOD OF TREATING CANCER		104510068	
INVENTORS			
Stanley F. Barnett, Deborah Defeo-Jones, George D. Hartman, Kathleen M. Haskell, Hans E. Huber, Craig W. Lindsley, Deborah D. Nahas, Zhijian			
NO. OF PAGES	NO. OF CLAIMS	PAGES OF DRAWING	
-	46	0	
DECLARATIONS		ACCOUNT CHARGE	
1 (signed)		13 - 2755 \$ 1,084.00	

F1071.3 REV.9/93 Preliminary Amendment, Sequence Listing & Disk Enclosed

BEST AVAILABLE COPY

D/F

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 21075YP.
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (if known) [35 U.S.C. 371(f)] <div style="border: 2px solid black; padding: 5px; text-align: center; margin: 5px;"> DOCKETED OCT 4 2004 LORI SCHEPISI </div>
INTERNATIONAL APPLICATION NO. PCT/US03/10632	INTERNATIONAL FILING DATE 04 April 2003	PRIORITY DATE CLAIMED 08 April 2002
TITLE OF INVENTION METHOD OF TREATING CANCER		
APPLICANT(S) FOR DO/EO/US Stanley F. Barnett, Deborah Defeo-Jones, George D. Hartman, Deborah D. Nahas , M. Haskell, Hans E. Huber, Craig W. Lindsley, Deborah D. Nahas, Zhijian Zhao		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.		
2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.		
3. <input type="checkbox"/> This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (19) indicated below.		
4. <input checked="" type="checkbox"/> The US has been elected (PCT Article 31).		
5. <input checked="" type="checkbox"/> A copy of the International Application as filed [35 U.S.C. 371(c)(2)]		
a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).		
b. <input type="checkbox"/> has been communicated by the International Bureau.		
c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).		
6. <input type="checkbox"/> An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].		
7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)].		
a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).		
b. <input type="checkbox"/> have been communicated by the International Bureau.		
c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.		
d. <input checked="" type="checkbox"/> have not been made and will not be made.		
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].		
9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].		
10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].		
Items 11 to 18 below concern other document(s) or information included:		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.		
14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.		
15. <input type="checkbox"/> A substitute specification.		
16. <input type="checkbox"/> A power of attorney and/or change of address letter.		
17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.		
18. <input type="checkbox"/> Other items or information:		

EXPRESS MAIL CERTIFICATE
 DATE OF DEPOSIT 10-4-04
 EXPRESS MAIL NO. EV321987313 US
 I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
 BEING DEPOSITED WITH THE UNITED STATES POSTAL
 SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE"
 ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO
 COMMISSIONER FOR PATENTS, P.O. BOX 1450,
 ALEXANDRIA, VIRGINIA 22313-1450
 MAILED BY Lori Schepisi
 DATE Oct 4 2004

**DECLARATION AND
POWER OF ATTORNEY
FOR UTILITY OR DESIGN
PATENT APPLICATION
(37 CFR 1.63)**Declaration
Submitted
with Initial
Filing

OR

Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket Number

21075Y

First Named Inventor

Stanley F. Barnett

COMPLETE IF KNOWN

Application Number

Filing Date

Group Art Unit

Examiner Name

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

A METHOD OF TREATING CANCER

(Title of the Invention)

the specification of which



bears the Attorney Docket Number and Title of the Invention noted above

OR



is attached hereto

OR



was filed on (MM/DD/YYYY) [] as United States Application Number or PCT International

Application Number [] and was amended on (MM/DD/YYYY) [] (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f) or 365(b) of any foreign application(s) for patent or inventor's certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Attorney Docket Number	Priority Claimed?	
				YES	NO
				<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	Attorney Docket Number
60/370,827	04/08/2002	21075PV
60/417,202	10/09/2002	21075PV2

DECLARATION AND POWER OF ATTORNEY for Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information known to me to be material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Application Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint, respectively and individually, as my attorney(s) or agent(s) with full power of substitution and revocation, the following registered practitioner(s) to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

☐ Customer Number OR

☒ Registered practitioner(s) name/registration number listed below

Place Customer Number Bar Code Label here

Name	Registration Number	Name	Registration Number
Matthew A. Leff	50,149		
David A. Muthard	35,297		
Mark R. Daniel	31,913		

Direct all correspondence to: ☒ Customer Number or Bar Code Label

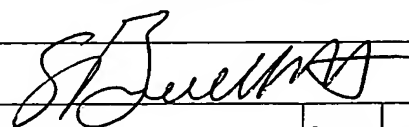
000210

Name	Matthew A. Leff				
Address	Merck & Co., Inc. - Patent Department				
Address	P.O. Box 2000, RY60-30				
City	Rahway	State	NJ	ZIP	07065-0907
Country	USA	Telephone	(732)594-1404	Fax	(732)594-4720

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])		Family Name or Surname			
Stanley F.		Barnett			
Inventor's Signature				Date	30 April 2003
Residence: City	North Wales	State	PA	Country	USA
Post Office Address	Merck & Co., Inc., P.O. Box 2000				
City	Rahway	State	NJ	ZIP	07065-0907

☒ Additional inventors are being named on the 2 supplemental Additional Inventors(s) sheet(s) PTO/SB/02A attached hereto

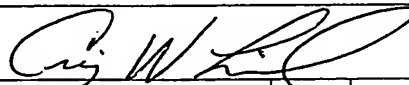

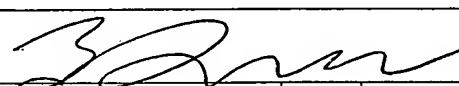
DECLARATION AND POWER OF ATTORNEY

ADDITIONAL INVENTOR(S)
Supplemental Sheet

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Deborah <i>Deborah D. Jones</i>				DeFeo-Jones <i>DeFeo-Jones D.</i>			
Inventor's Signature		<i>Deborah D. Jones</i>				Date <i>4/30/03</i>	
Residence: City		Lansdale		State PA		Country USA	
Post Office Address		Merck & Co., Inc., P.O. Box 2000					
City		Rahway		State NJ		ZIP 07065-0907	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
George D.				Hartman			
Inventor's Signature		<i>George D. Hartman</i>				Date <i>April 30, 2003</i>	
Residence: City		Lansdale		State PA		Country USA	
Post Office Address		Merck & Co., Inc., P.O. Box 2000					
City		Rahway		State NJ		ZIP 07065-0907	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Kathleen M.				Haskell			
Inventor's Signature		<i>Kathleen M. Haskell</i>				Date <i>April 30, 2003</i>	
Residence: City		Colmar		State PA		Country USA	
Post Office Address		Merck & Co., Inc., P.O. Box 2000					
City		Rahway		State NJ		ZIP 07065-0907	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Hans E.				Huber			
Inventor's Signature		<i>Hans E. Huber</i>				Date <i>30-Apr-03</i>	
Residence: City		Lansdale		State PA		Country USA	
Post Office Address		Merck & Co., Inc., P.O. Box 2000					
City		Rahway		State NJ		ZIP 07065-0907	

DECLARATION AND POWER OF ATTORNEY

ADDITIONAL INVENTOR(S)
Supplemental Sheet

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Craig W.				Lindsley			
Inventor's Signature						Date	30-Apr-2003
Residence: City	Schwenksville	State	PA	Country	USA	Citizenship	USA
Post Office Address	Merck & Co., Inc., P.O. Box 2000						
City	Rahway	State	NJ	ZIP	07065-0907		
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Deborah D.				Nahas			
Inventor's Signature						Date	30 April 2003
Residence: City	Perksie	State	PA	Country	USA	Citizenship	USA
Post Office Address	Merck & Co., Inc., P.O. Box 2000						
City	Rahway	State	NJ	ZIP	07065-0907		
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Zhijian				Zhao			
Inventor's Signature						Date	30 April, 2003
Residence: City	Wilmington	State	DE	Country	USA	Citizenship	Peoples Republic of China
Post Office Address	Merck & Co., Inc., P.O. Box 2000						
City	Rahway	State	NJ	ZIP	07065-0907		
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Inventor's Signature						Date	
Residence: City		State		Country		Citizenship	
Post Office Address	Merck & Co., Inc., P.O. Box 2000						
City	Rahway	State	NJ	ZIP	07065-0907		